

**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-3  
AGENDA DATE: Thu 11/03/2005  
PAGE: 1 of 1**

**SUBJECT:** C814-82.006.01(83) - Lake Austin Commons, AKA Hartland Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1717 West 6<sup>th</sup> Street and 1711 West 5<sup>th</sup> Street from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning in order to allow a change in the permitted uses. Planning Commission Recommendation: Postponed to November 8, 2005. Applicant: Lake Austin Commons Ltd. (William F. Burrow, Jr. Agent: Armbrust & Brown, L.L.P. (Richard Suttle, Jr.) City Staff: Jerry Rusthoven, 974-3207.

**REQUESTING DEPARTMENT:** Neighborhood Planning and Zoning

**DIRECTOR'S AUTHORIZATION:** Greg Guernsey



## MEMORANDUM

**To:** Mayor and Council

**From:** Jerry Rusthoven *JR*  
Neighborhood Planning & Zoning Dept.

**Date:** October 27, 2005

**Subject:** Lake Austin Commons PUD (Hartland Bank)

The applicant on the above referenced PUD requested a postponement at the October 25<sup>th</sup> Planning Commission meeting to the November 1<sup>st</sup> PC meeting and to the November 17<sup>th</sup> City Council meeting. Therefore, staff is requesting a two week postponement to allow the Planning Commission to consider their recommendation. The applicant has indicated that he will be meeting with OWANA in the near future.

Jerry Rusthoven, Manager  
Neighborhood Planning & Zoning Department

ZONING SUMMARY SHEET

ZONING CASE NUMBER: C14-05-0106

REQUEST:

Approve an ordinance to locally known as Tract 2 Lane and 0 Red Bird Lane with 68 feet average and East 50 Pleasant Hill Subdistrict boundary of the Pleasant Hill east, West Stassney Lane

10321

to Austin City Code by rezoning property Tract 23a and Tract 30, located at 103 Red Bird Lane with 68 feet average of Lot 20 and south 68 feet within the Pleasant Hill Subdistrict. The properties bounded by the northern boundary of the north, South Congress Avenue on the east, West Stassney Lane on the south, and properties fronting Hummingbird Lane on the west

(Williamson Creek Watershed). The proposed zoning change will create a Neighborhood Plan Combining District (NPCD) covering Tract 23a and Tract 30, within the subdistrict. Under the Pleasant Hill subdistrict, "Small Lot Amnesty" special use and "Impervious Cover and Parking Placement Restrictions" and "Prohibiting Parking in the Front Yard" zoning regulations are proposed. "Secondary Apartment" special use and "Garage Placement" and "Front Porch Setback" zoning regulations are also proposed for the Pleasant Hill subdistrict. The "Neighborhood Mixed-Use Building" special use is proposed for Tract 30. The proposed zoning change will also change the base district zoning on two tracts of land and the City Council may approve a zoning change to any of the following: rural residence (RR) district zoning; single family residence large lot (SF-1) district zoning; single family residence standard lot (SF-2) district zoning; family residence (SF-3); single family residence small lot (SF-4A) district zoning; single family residence condominium site (SF-4B) district zoning; urban family residence (SF-5) district zoning; townhouse & condominium residence (SF-6) district zoning; multi-family residence limited density (MF-1) district zoning; multi-family residence low density (MF-2) district zoning; multi-family residence medium density (MF-3) district zoning; multi-family residence moderate-high density (MF-4) district zoning; multi-family residence high density (MF-5) district zoning; multi-family residence highest density (MF-6) district zoning; mobile home residence (MH) district zoning; neighborhood office (NO) district zoning; limited office (LO) district zoning; general office (GO) district zoning; commercial recreation (CR) district zoning; neighborhood commercial (LR) district zoning; community commercial (GR) district zoning; warehouse/limited office (W/LO) district zoning; general commercial services (CS) district zoning; commercial-liquor sales (CS-1) district zoning; commercial highway (CH) district zoning; industrial park (IP) district zoning; major industrial (MI) district zoning; limited industrial services (LI) district zoning; research and development (R&D) district zoning; development reserve (DR) district zoning; agricultural (AG) district zoning; planned unit development (PUD) district zoning; historic (H) district zoning; and public (P) district zoning. A conditional overlay (CO), planned development area overlay (PDA), mixed use (MU) combining district overlay; neighborhood conservation combining district (NCCD); or neighborhood plan combining district (NP) may also be added to these zoning base districts.

DEPARTMENT COMMENTS:

*Tract 30*

On October 12, 2005, Staff met to discuss zoning and future land use map designations for Tract 30 with the property owner as well as property owners within the Pleasant Hill Subdistrict. No resolutions were reached and the property owners remain in amicable disagreement.

A valid petition of 29.64% for Tract 30 has been filed by the adjacent property owners in opposition to this rezoning request.

The current use, Construction Sales and Services, has been determined to be non-conforming ("grandfathered") by the Solid Waste Services Department zoning code enforcement division. However, the current storage of construction material out in the open at this site is a violation of City code. In order to come into compliance, these materials must be stored in a covered structure or be removed from the property. It is not known if the existing structures on the property can accomplish this requirement.

If the current zoning remains (SF-3/SF-6), Mr. Harper cannot increase the level of non-compliance by increasing the size of current structures or constructing any new ones. In order to build a structure on site to store construction materials, as Mr. Harper has expressed a desire to do, the zoning would have to be changed to Commercial Services (CS). Conditions could be placed on the zoning to limit the more intense uses allowed in CS.

The property owner proposes CS-MU-CO-NP district zoning and the Conditional Overlay follows Exhibit B. The Neighborhood is agreeable to either no change to the existing SF-3/SF-6 zoning or the Planning Commission's recommendation of LO-MU-CO-NP, requiring a 30' wide vegetative buffer adjacent to single-family uses. The Neighborhood's correspondence and petitions follow the Applicant's proposed conditional overlay.

*Tract 23a*

Due to errors in the addressing data, some confusion arose concerning Tract 23a (116 Red Bird). On first reading Council approved CS-MU-CO-NP for the tract. On second and third reading on October 6; no action was taken regarding 116 Red Bird. At that meeting, a motion was made to remove consideration of a zoning change for part of Tract 23a (106 Red Bird Lane) due to a notification error. However, 116 Red Bird was sufficiently noticed for a zoning change. At the November 3 Council meeting, 116 Red Bird will be considered as Tract 23a for second and third readings to change the zoning to CS-MU-CO-NP. The CO would require a 30' vegetative buffer adjacent to single-family uses.

APPLICANT: City of Austin

AGENT: Neighborhood Planning and Zoning Department (Mark Walters)

DATE OF FIRST READING: September 1, 2005, approved the rezoning of the Pleasant Hill Subdistrict as Planning Commission recommended with exception of Tract 18 and Tract 30, on First Reading (6-0, Alvarez – off the dais).

**For Tract 23a**, CS-MU-CO-NP district zoning was approved for 116 Red Bird Lane, on First Reading (6-0, Alvarez – off the dais).

**For Tract 30**, SF-3-NP district zoning was approved on First Reading (6-1, Mayor Wynn – Nay).

DATE OF SECOND READING: October 6, 2005, approved the Pleasant Hill Subdistrict Rezoning of the West Congress Neighborhood Plan for Tracts 22, 23b, 25, 26, 27, 28, 31 and 32, as recommended by the Planning Commission, on Second and Third Readings (7-0). Note: Tracts 18, **23a (later determined to be an incorrect address and thus, no action was taken)**, 35 and 30 were taken up separately.

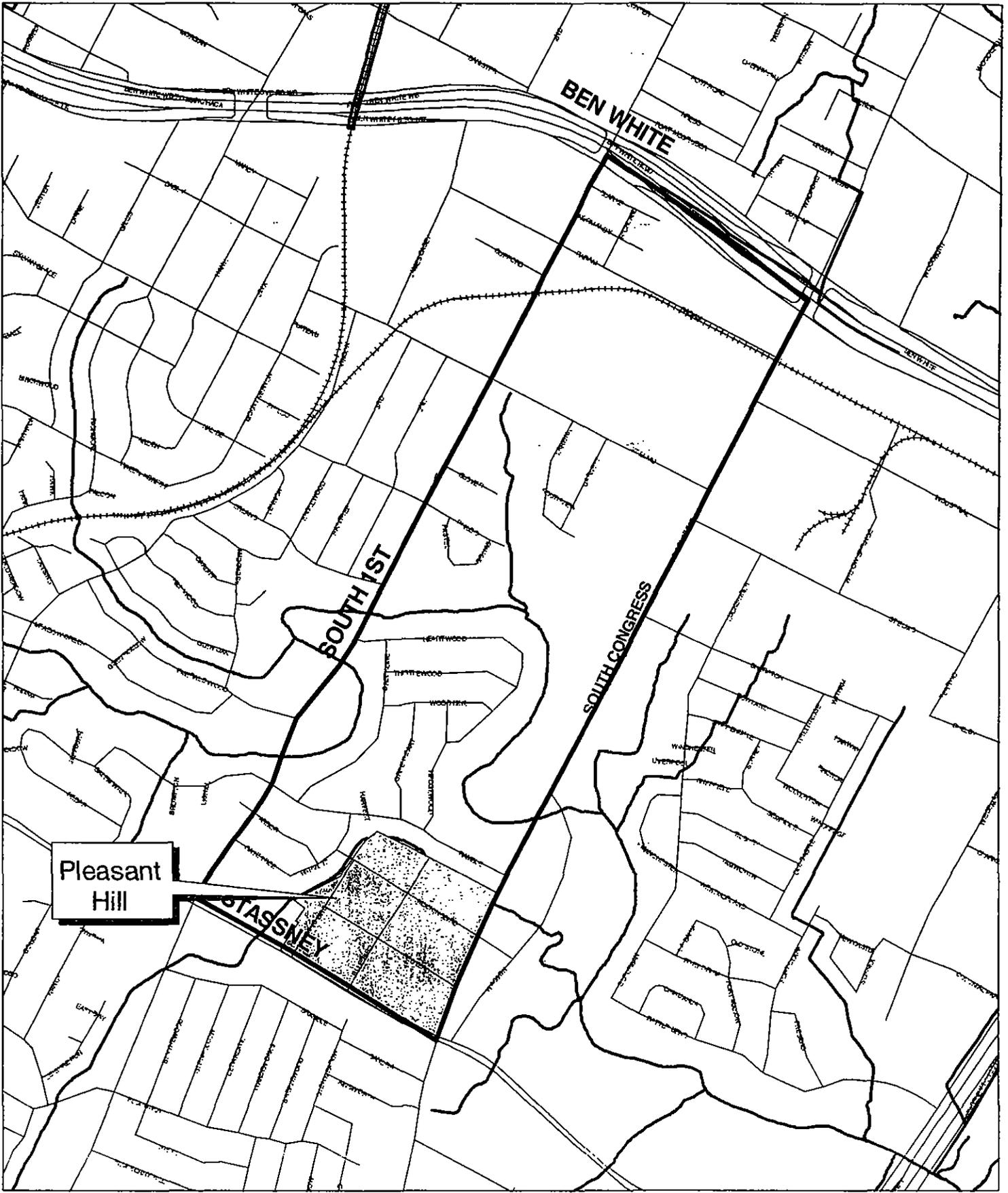
**For Tract 30**, LO-MU-CO-NP district zoning with a Conditional Overlay for a 30-foot wide vegetative buffer along the west side was approved on Second Reading (6-1, Mayor Pro Tem Thomas – Nay).

CITY COUNCIL DATE: November 3, 2005

ACTION:

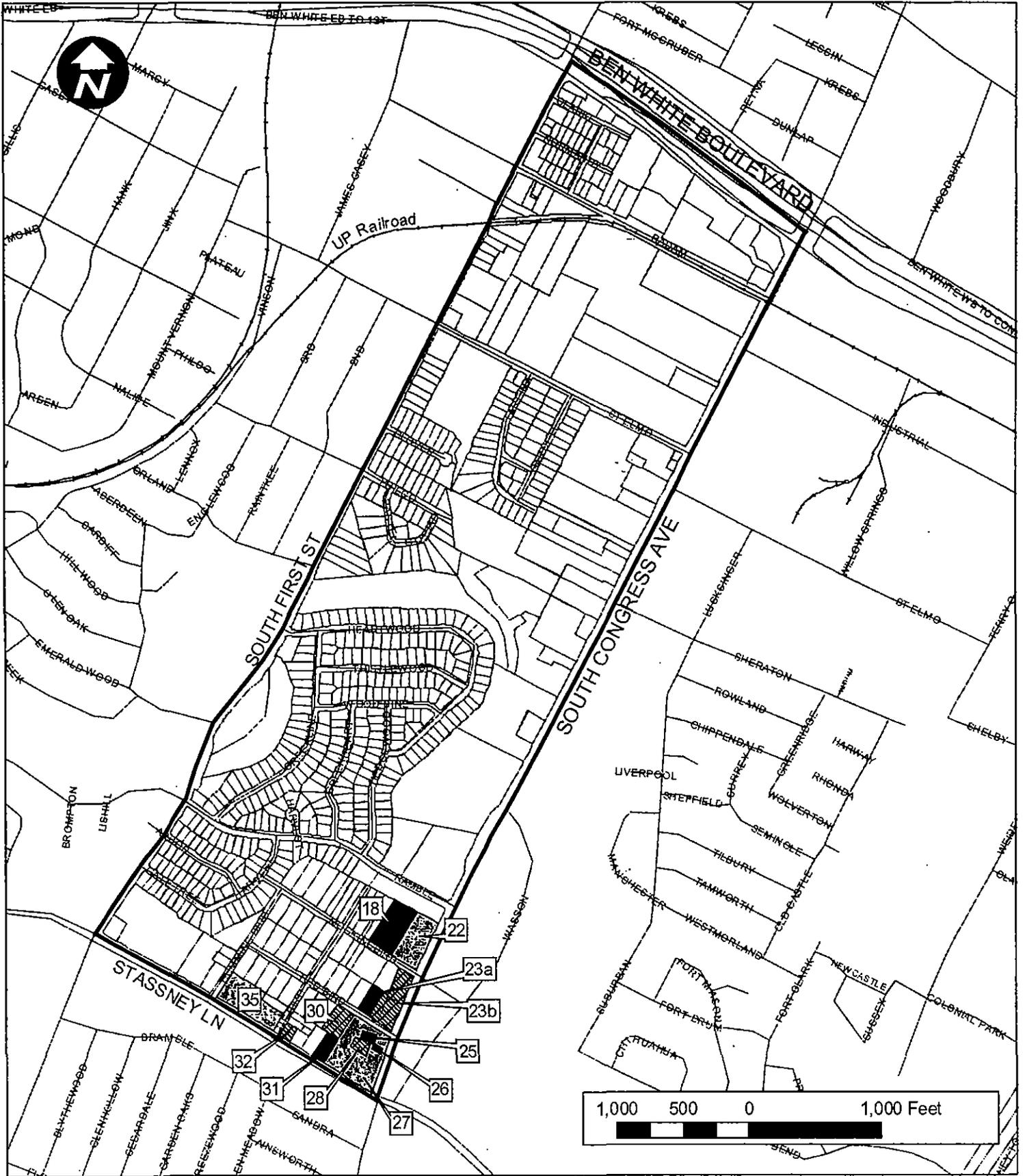
ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Walsh  
e-mail: wendy.walsh@ci.austin.tx.us



**West Congress Neighborhood  
Planning Area: Subdistricts**

**CASE #  
C-14-05-0106  
EXHIBIT A**



West Congress Neighborhood Planning Area:  
 Proposed Tracts for Rezoning  
 Case #C14-05-0106

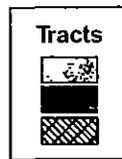
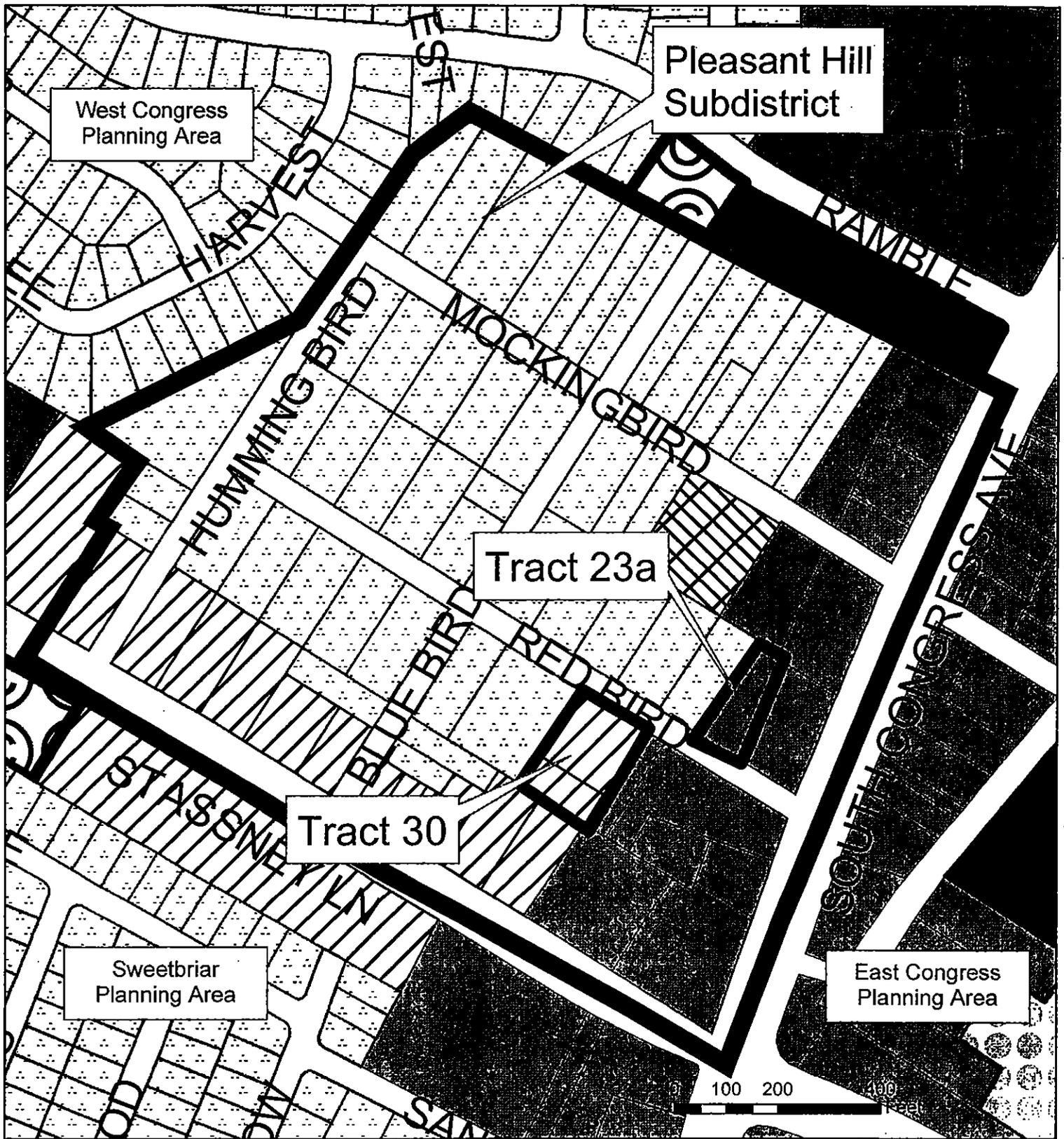


Exhibit A



City of Austin  
 Neighborhood Planning and Zoning Department



Pleasant Hill Subdistrict of the  
West Congress Neighborhood Planning Area:  
Future Land Use Map  
NP-05-0020 (PART)



City of Austin  
Neighborhood Planning and Zoning Department  
November 3, 2005

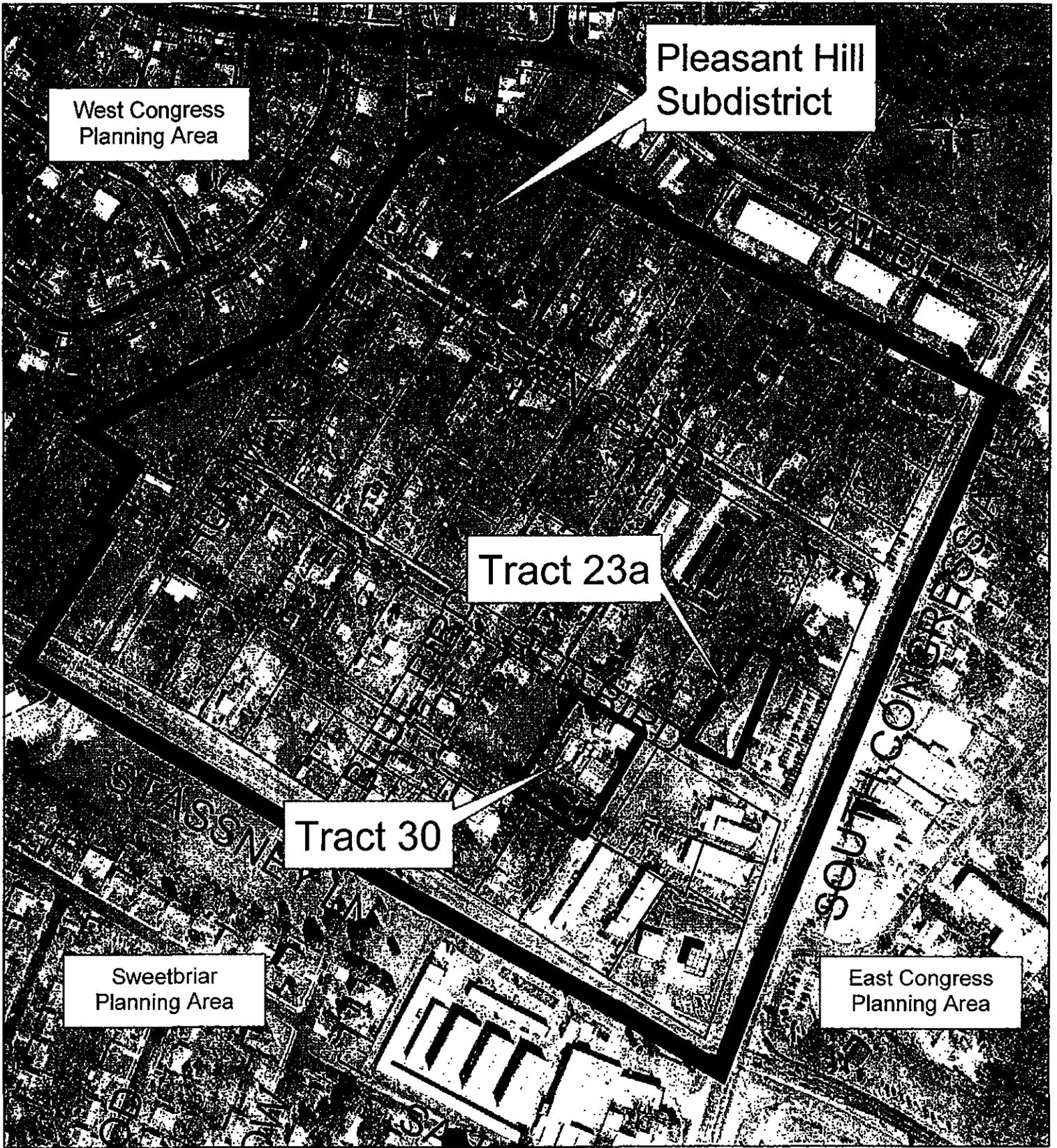
Exhibit A

**Future Land Uses**

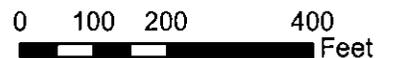
-  Single-family
-  High Density Single-family
-  Multi-family
-  Commercial
-  Mixed Use
-  Office
-  Mixed Use/Office
-  Industry
-  Civic
-  Open Space

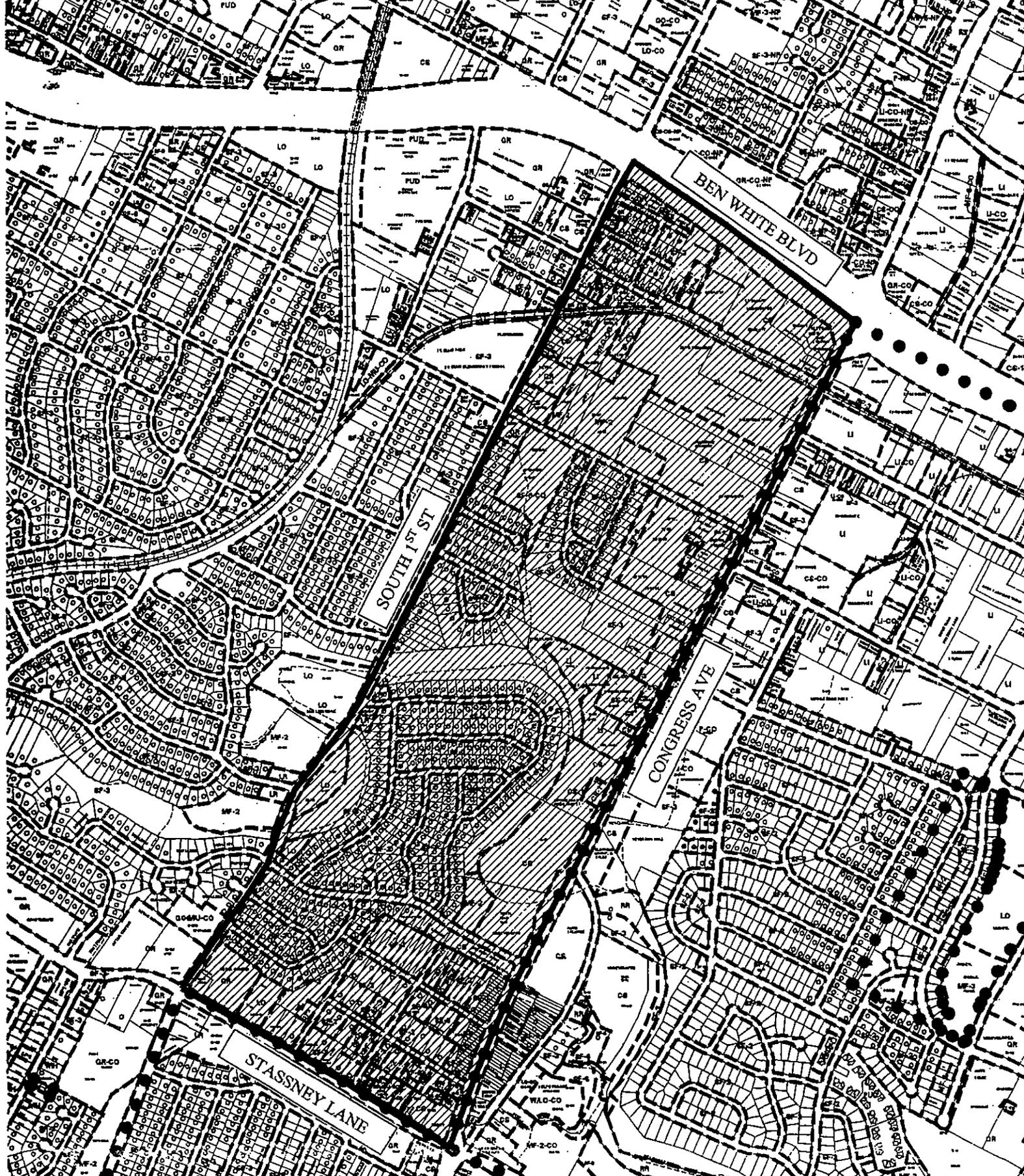
 Pleasant Hill Subdistrict

*A comprehensive plan does not constitute zoning.*



Pleasant Hill Subdistrict of the  
West Congress Neighborhood Planning Area:  
Aerial 2003  
NP-05-0020 (PART)





SUBJECT TRACT   
 PENDING CASE   
 ZONING BOUNDARY   
 CASE MGR: W. WALSH

CASE #: C14-05-0106  
 ADDRESS: WEST CONGRESS  
 NEIGHBORHOOD PLANING AREA  
 SUBJECT AREA (acres): N/A

ZONING *EXHIBIT B*

DATE: 05-07  
 INTLS: SM

CITY GRID  
 REFERENCE  
 NUMBER  
 G & H17-18

**Proposed Conditional overlay for Tract 30 (PROPERTY OWNERS)**

Rezone from SF-3 and SF-6 to CS-MU-CO-NP

Conditional Overlay limits uses to

A) All residential uses

B) The following commercial use:

Construction Sales and Services

C) All Limited Office (LO) uses:

**Residential**

Bed and Breakfast (Group 1)

Bed and Breakfast (Group 2)

**Civic**

Club or Lodge (c)

Family Home

College and University Facilities (c)

Group Home Class I—General

Communication Service Facilities

Group Home Class I—Limited

Community Events (1)

Group Home Class II (c)

Community Recreation—Private (c)

Hospital Services—Limited (c)

Community Recreation—Public

Local Utility Services

Congregate Living (c)

Private Primary Educational Services

Convalescent Services

Private Secondary Educational Services (c)

Counseling Services

Public Primary Educational Services

Cultural Services

Public Secondary Educational Services

Day Care Services—Commercial

Religious Assembly

Day Care Services—General

Residential Treatment (c)

Day Care Services—Limited

Safety Services

**Commercial**

Administrative and Business Offices

Medical Offices—exceeding

Art Gallery

5,000 sq/ft of gross floor space

Art Workshop

Professional Offices

Communication Services

Software Development

Medical Offices—not exceeding

Special Use—Historic (c)

5,000 sq/ft of gross floor space

**Agricultural**

Urban Farm

D) Prohibit drive-through as an accessory use

October 4, 2005

Reference: C 14-05-0106

Reference: C 14-05-0106.02

Honorable Mayor Will Wynn and City of Austin Council Members,

As residents of the Pleasant Hill Addition sub-district located in the West Congress Avenue Neighborhood Planning Area, we are concerned about upcoming zoning decisions and their impact on our community. We are proud to live in a neighborhood that offers such a unique glimpse into Austin's historical, cultural and architectural heritage - a heritage we believe is worth protecting. Our neighborhood is in transition with restored turn-of-the-century homes and new homes being built. Additionally, the remaining natural areas in our community provide dwindling urban wildlife with critical travel routes, food, water, and shelter.

It is our sincere belief that the following zoning recommendations will safeguard current residents while preserving the area's unique flavor and resources for future generations to enjoy.

We respectfully request your support for the following zoning recommendations:

- SF-2 for Tract 18 (106-200 W. Mockingbird Lane)
- SF-2 for Tract 23A (106 Red Bird Lane, alternately shown as 116 Red Bird on the proposed zoning change sheets). Alternate request: LO-MU-CO-NP.
- SF-3 and SF-6 for Tract 30 (103 Red Bird). The property owner plans to request CS-MU-CO-NP zoning. However, according to the City's own Neighborhood Planning and Zoning Guidelines, "CS is generally incompatible with residential environments." (Neighborhood Planning Guide to Zoning, page 23, April 2005). We oppose the CS designation because a construction business on 3/4 acre with 30+ employees, service trucks and semi-truck deliveries is not compatible with a residential neighborhood with children and hearing-impaired adults. Mr. Harper's business has evolved over recent years and outgrown its location. We request to be heard regarding this parcel at the council meeting scheduled for October 6th. Alternate request: LO-MU-CO-NP.
- LO-MU-NP for Tract 35 (306-314 Stassney). LQ is noted by city staff on the Future Land Use Map of August 18. The new GO recommendation is undesirable because it would allow a 60' building to be erected next to residences.
- LO-MU-NP for 400-414 Stassney. (Corner of Hummingbird; (See reference C14-05-0106.02.). Most of this property is in the flood plain, which limits its desirability for development. The city staff's GO recommendation is undesirable because it would allow a 60' building to be erected next to a residence. LO is listed on the Future Land Use Map of August 18.

Thank you for your consideration.

Sincerely,



Andrea Thomas  
309 Red Bird Lane  
days: 512-445-5915  
cell: 512-925-5214  
athomas57@austin.rr.com

October 3, 2005

Deral Hendrix  
304 Red Bird Lane  
Austin, Texas 78745  
512.447.4289  
deral@austin.rr.com

Re: C14-05-0106, Tract 30

Dear City Council:

I am one of 32 owner/occupants of property on the 'Bird' streets within the Pleasant Hill Subdistrict – West Congress Neighborhood Planning Area Rezoning. In this area there are also 5 lots, 2 unoccupied houses recently relinquished by elderly owner/occupants, 11 renters (7 of whom live in one condo unit), and then there is Tract 30, a business incompatible not only within this neighborhood but within any neighborhood. The obvious mathematical translation here is that 73% of our little enclave is owner/occupied. The business (Tract 30) comparison is somewhat less than 1%.

In the 8-30-05 neighborhood letter to you preceding the 9-1-05 council meeting, a description of the Tract 30 business from a neighborhood perspective was given. At that council meeting, the neighborhood recommended zoning of SF-3-NP was presented by city staff and noted that "staff does not object to the neighborhood's recommendations". Mr. Tommy Harper, owner-operator of Tract 30, appeared and spoke of a "grandfather clause" and the hardship and detrimental effect the SF-3-NP zoning would have on his business, should he have to move.

My understanding is that since that meeting the council-requested research by city staff reveals no "grandfather clause" for use of this lot, which means that Mr. Harper has not been compliant with zoning for over 20 years. He is now requesting that the council approve his request for zoning the property CS....., not the neighborhood-requested SF-3-NP nor the Planning Commission/city staff-requested LO-MU-CO-NP. I further understand that this CS..... zoning, which is totally incompatible within a residential neighborhood, "will not be objected to by staff". The only explanation I have garnered for this bizarre 180 degree sudden flip-flop by staff is that "Mr. Harper needs that zoning to be compliant", a truism of the first order.

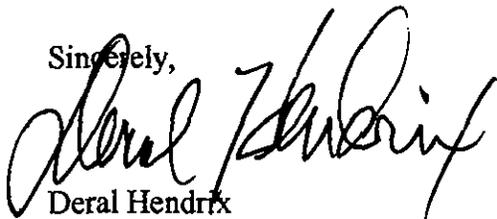
As for the detrimental effect spoken of by Mr. Harper, which he says means he will be forced out of business, thereby depriving 30+ people of their jobs and he and his family of its business income, this should be viewed with clear and open eyes. First of all, this business is on a lot less than twice the size of mine. Picture, if you will, seven or eight service trucks, two or three forklifts, three or four buildings, the usual multitude of stacks of construction and manufacturing materials, and the vehicles of that many employees all

on that size lot at least part of the day and the activity and neighborhood traffic resulting thereof. Add to that 18 wheelers making deliveries to Mr. Harper's property and maneuvering through the neighborhood and you have a fair picture of a neighborhood problem. Requiring that this business move to an appropriately -sized and -located property for its operation should not mean that it would "go out of business"; maintaining the status quo by legalizing something patently illegal will most certainly mean that our neighborhood will be put on the road to being "out of business".

I have lived in this neighborhood for 27 years. My three children grew up here and now two have bought houses here because of the improvements made within the neighborhood over the years. And I have my own 'grandfather clause'---my two-year-old grandson lives next door. There are other children of various ages in the neighborhood, as well as elderly and handicapped adults, young couples and college students. We in this neighborhood have always realized that we have to bend and remain flexible to absorb the increased development and population of Congress Ave. and Stassney Lane and the impact on us.

What we should not have to absorb is the geometric and monumental growth of Mr. Harper's business over these years. When I moved here and when we agonized over the rezoning that occurred during the early 1980s, Mr. Harper's business was a small electrical business with 2 trucks and 2 employees, no stack lot, no forklifts, and no 18 wheelers making deliveries. Thus, the neighborhood took a live and let live attitude. It is obvious that what we thought was a cute little bull snake has grown up into a rattlesnake that is bent on our destruction.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deral Hendrix". The signature is written in black ink and is positioned above the printed name.

Deral Hendrix

October 6, 2005

H. B. Massingill  
110 Red Bird Lane  
Austin, TX 78745

Re: c14-05-0106, Tract 30

Dear City Council,

Since moving into my house at 110 Red Bird Lane in 1998, I've watched Harper Construction Company (across the street from me) grow from a small contracting business into a large ongoing concern, with activity on the premise impacting me (and my neighbors) at every step of it's growth. Some of the problems I've had to deal with are:

- Semi-trucks parking in front of my house with their motor running, filling my 600 square foot house with carbon monoxide. Some mornings I'll wake up anxious with my heart racing, only to find a truck has been idling in front of my house waiting for someone to come accept delivery.
- Trucks have run over my mailbox 20 times. As a result I've missed checks, bills and business.
- Forklifts have disconnected my phone line twice, again causing much inconvenience and lost income do to lost jobs/missed calls.
- Noisy and bothersome activity, very disruptive and very early in the day:
  - Dumpster being picked up at 5:30-6:00 AM.
  - 3-4 semi-trucks daily being idled and unloaded 30 – 40 feet from my door.
  - Semi-trucks blocked me in on numerous occasions. I've missed work and appointments due to this.
  - Bobcat and other equipment being loaded on and off of trailers.
  - Work crew and trucks hanging out in front of my house (including litter).
- Mr. Harper filled in the drainage ditch on the front of his property (with no culvert) in such a way that all the rainwater from his property flows though my lot (sometimes up against my house) at a depth of 18" up to 3 feet wide, a veritable river.
- High wattage security lights shine right into my house.
- Until recently the building material was in piles up to the front of the property.
- Work crews "cat-calling" my daughter and ogling my female friends.

- Pallets brought in from warehouses and industrial areas bringing with them rat nest, mice, possums, hornets.
- There is a dumpster with garbage & food in it, attracting animals.
- Piles of material and equipment have lured thieves onto the lot. I've scared off more than one trespasser.
- I have a 100 square foot organic garden on the back of my lot and I worry about the runoff from all the machines and chemicals stored, seeping into the ground.
- Earlier this week a surveyor was in my yard painting marks on my grass. When I asked him what he was doing, he said he was hired by Mr. Harper. No one ever asked if they could come on my property.
- I also wonder what impact all the semi-truck traffic is having on my street and the infrastructure underneath it.

The final thing I'd like to point out is many contractors competed for the playground contract with the city that Mr. Harper is now fulfilling. How would other contractors feel if they knew the winning bid went to some one in an illegal business space? People playing by the rules didn't get the contract.

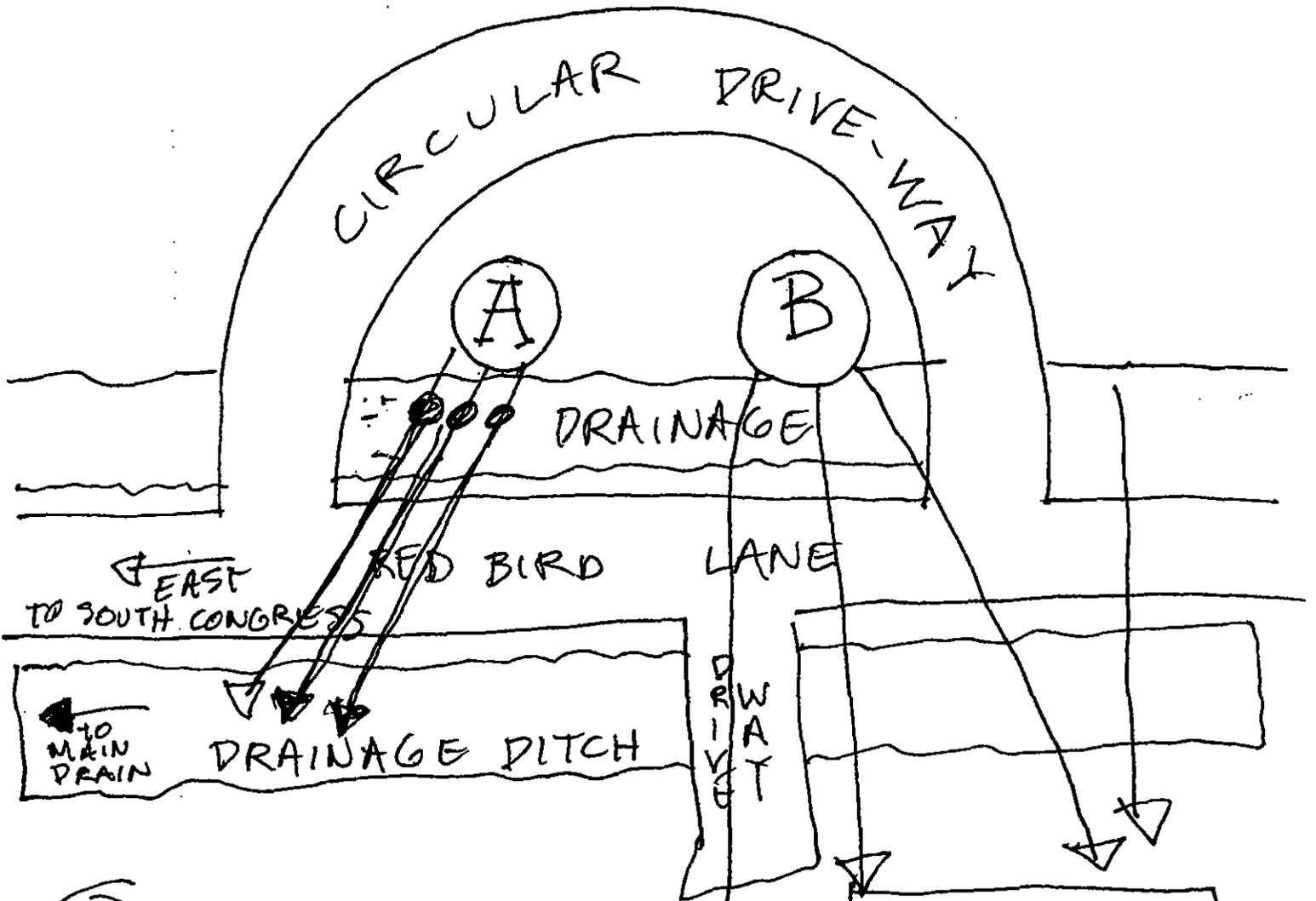
I urge you to zone Tract 30 LO-MU-CO-NP.

Sincerely,



Brad Massingill  
110 Red Bird La.  
462-9834

HARPER CONSTRUCTION  
207 REDBIRD



(A) OLD DRAINAGE TO CONGRESS DRAIN SYSTEM

(B) NEW DRAINAGE MISSED DITCH GOES IN DRIVE AND YARD OF 110 RED BIRD LN.

Reference: C 14-05-0106  
Reference: C 14-05-0106.02

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Thank you for your consideration.

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1 REXFORD BURNS ~~Tract 18~~ 205 RED BIRD  
 2 Andrea Thomas Andrea Thomas 309 Red Bird  
 3 Opal Keeling Opal Keeling 5502 Hummingbird La  
 4 Felix Michael Estrada ~~Felix Michael Estrada~~ 5502 - 5507 Blue Bird Ln  
 209 - 206 Stassney

Reference: C 14-05-0106  
Reference: C 14-05-0106.02

- 5) SPEEDY N. PHILLIPS *Speedy N Phillips* 5500 BLUEBIRD LN.
- 6) Chuck GRIMES *CG* 312 W Stassney LN
- 7) Luis PINHEIRO *Luis Pinheiro* 312 W. Stassney LN
- Adam Hudson *AH* 312 W. Stassney Ln
- 8) EVAN A. HENDRIX *Evan Hendrix* 306 RED BIRD LN
- 8) William R. Hendrix *Will R Hendrix* 300 Red Bird Ln
- 9) H. B. MASSINGILL ~~HB~~ 110 REDBIRD LN
- 10) DOUGLAS J. FIELDS *Douglas J Fields* 310 RED BIRD LN
- 11) Rachael Horner *Rachael Horner* 314 Redbird Ln.
- 12) Ann E. Harris *Ann Harris* 307 Redbird Ln
- 13) ALEJANDRO LOREDO *Alejandro Lored* 204 Red Bird LN
- Liz Kempf *Liz Kempf* director of Day care ctr  
200 W. Stassney  
306 W. Stassney
- 14) Ernest LEONARD *Ernest Leonard* 5501 Blue Bird Ln A
- 15) Robert L. Heise *Robert L Heise*
- 16) Shirley Hitchcock *Shirley Hitchcock* 313 Red Bird
- 17) DERRA HENDRIX *Derra Hendrix* 304 Red Bird Ln
- 18) Michelle C WALDRON *Michelle C Waldron* 5505 Hummingbird Lane
- RAYMOND CARLTON *Raymond Carlton* 309B Red Bird Ln  
(renter of 10 yrs)

(18 homeowners + 2 renters)

October 4, 2005

Page 1 of 2

Reference: C 14-05-0106  
Reference: C 14-05-0106.02

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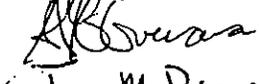
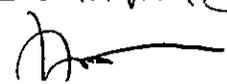
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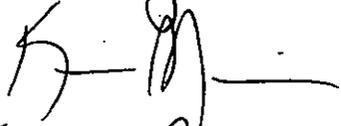
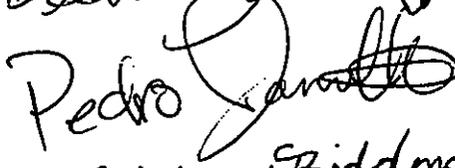
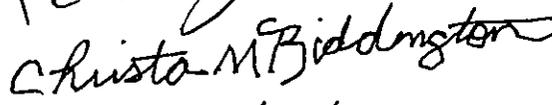
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- SF-2 for Tract 23A (106 Red Bird Lane, alternately shown as 116 Red Bird on the proposed zoning change sheets). Alternate request: LO-MU-CO-NP.
- SF-3 and SF-6 for Tract 30 (103 Red Bird). The property owner plans to request CS-MU-CO-NP zoning. However, according to the City's own Neighborhood Planning and Zoning Guidelines, "CS is generally incompatible with residential environments." (Neighborhood Planning Guide to Zoning, page 23, April 2005). We oppose the CS designation because a construction business on 3/4 acre with 30+ employees, service trucks and semi-truck deliveries is not compatible with a residential neighborhood with children and hearing-impaired adults. Mr. Harper's business has evolved over recent years and outgrown its location. We request to be heard regarding this parcel at the council meeting scheduled for October 6th. Alternate request: LO-MU-CO-NP.
- LO-MU-NP for Tract 35 (306-314 Stassney). LO is noted by city staff on the Future Land Use Map of August 18. The new GO recommendation is undesirable because it would allow a 60' building to be erected next to residences.
- LO-MU-NP for 400-414 Stassney. (Corner of Hummingbird; (See reference C14-05-0106.02).). Most of this property is in the flood plain, which limits its desirability for development. The city staff's GO recommendation is undesirable because it would allow a 60' building to be erected next to a residence. LO is listed on the Future Land Use Map of August 18.

Thank you for your consideration.

Sincerely,

Mary Rocamora		305 W. Mockingbird Ln
Aldo Guevara		311 W Mockensbird Ln
Jon M Donaldson	Jon M Donaldson	305 W Mockingbird La
Robin H Gary	ROBIN H. GARY	300 W. Mockingbird Ln
John Van Strien	John Van Strien	207 W. Mockingbird Ln.
JOHN HAEST		110 W Mockingbird Ln

Reference: C 14-05-0106  
Reference: C 14-05-0106.02

	Elizabeth Wallerstein	109 W. Mockingbird Ln
	Julie Jacobs	312 W. Mockingbird Ln
	Dennis J. Jacobs	312 W Mockingbird Ln
	Audrey Powers	106 W. Mockingbird Ln.
	Kevin Mackie	306 W. Mockingbird Ln.
	Chris Reno	128 W Mockingbird Ln.
	Katya Reno	128 W. Mockingbird Ln.
<del></del>	<del>Pedro Jaramillo</del>	
	Pedro Jaramillo	301 W. Mockingbird Ln.
<del></del>	<del>CHRISTA M. RIDDINGTON</del>	314 W-MOCKINGBIRD
	Ian Riddington	314 W. Mockingbird Ln

12 properties represented:  
(11 homeowners + 1 renter)

11 properties, (2nd letter) represented  
 18 properties. (1st letter) represented  
 29 homeowners/ signed letters  
     properties  
 3 renters signed letters  
 (plus additional spouses)

# PETITION

Date: 10-04-2005

File Number: C 14-05-0106

103 Red Bird Lane Austin, Texas 78745

Rezoning Request: LO-MU-CO-NP

### To: Austin City Council

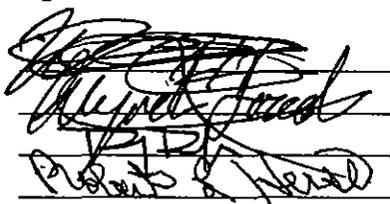
We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-MU-CO-NP

The property owner plans to request CS-MU-CO-NP zoning. However, according to the City's own Neighborhood Planning and Zoning Guidelines, "CS is generally incompatible with residential environments." (Neighborhood Planning Guide to Zoning, page 23, April 2005). We oppose the CS designation because a construction business on 3/4 acre with 30+ employees, service trucks and semi-truck deliveries is not compatible with a residential neighborhood with children and hearing-impaired adults. Mr. Harper's business has evolved over recent years and has outgrown its location.

Signature

Printed Name

Address

  
~~Robert L. Heise~~  
~~Robert L. Heise~~  
~~Robert L. Heise~~  
Robert L. Heise

~~H.B. MASSINGILL III~~  
~~ALVARO LOPEZ~~  
~~REXFORD BURNS~~  
Robert L. Heise

~~110 RED BIRD LN~~  
~~204 RED BIRD LN~~  
~~205 RED BIRD~~  
5501 Blue Bird Ln A

Contact number : Rex Burns : cell 228-4040 wk 444-0716

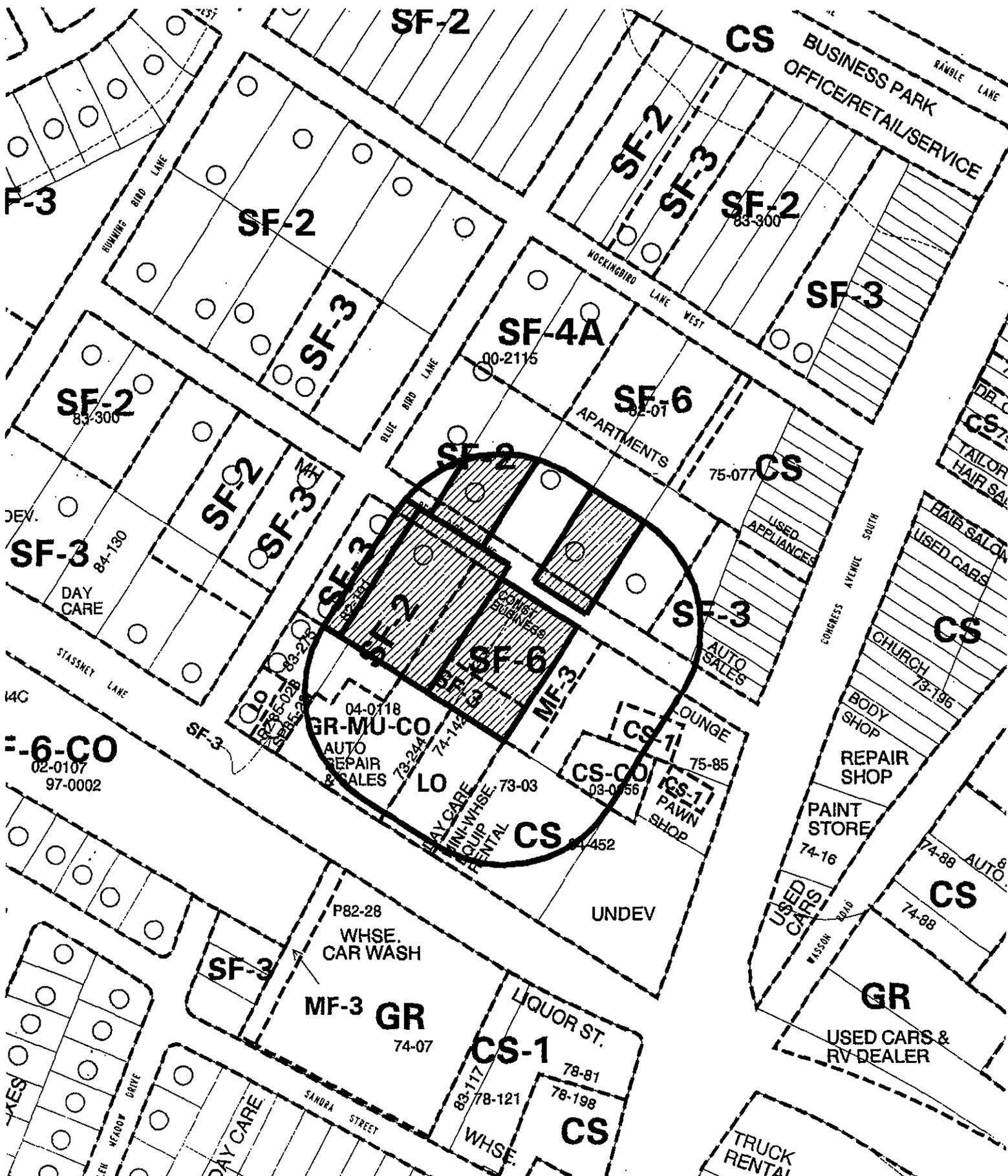
# PETITION

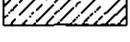
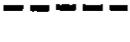
Case Number: **C14-05-0106** Date: Oct. 5, 2005

Total Area within 200' of subject tract: (sq. ft.) 271,314.05

		MASSINGILL		
1	<u>04-1508-0411</u>	<u>BRADFORD III</u>	<u>17,411.27</u>	<u>6.42%</u>
2	<u>04-1508-0413</u>	<u>LOREDO ALEJANDRO</u>	<u>14,258.30</u>	<u>5.26%</u>
3	<u>04-1609-0302</u>	<u>&amp; SERAFIN LOR</u>	<u>41,300.32</u>	<u>15.22%</u>
4	<u>04-1609-0301</u>	<u>BURNS REXFORD J JR</u>	<u>7,443.76</u>	<u>2.74%</u>
5				<u>0.00%</u>
6				<u>0.00%</u>
7				<u>0.00%</u>
8				<u>0.00%</u>
9				<u>0.00%</u>
10				<u>0.00%</u>
11				<u>0.00%</u>
12				<u>0.00%</u>
13				<u>0.00%</u>
14				<u>0.00%</u>
15				<u>0.00%</u>
16				<u>0.00%</u>
17				<u>0.00%</u>
18				<u>0.00%</u>
19				<u>0.00%</u>
20				<u>0.00%</u>
21				<u>0.00%</u>
22				<u>0.00%</u>
23				<u>0.00%</u>
24				<u>0.00%</u>
25				<u>0.00%</u>
26				<u>0.00%</u>
27				<u>0.00%</u>
28				<u>0.00%</u>

<b>Validated By:</b>	<b>Total Area of Petitioner:</b>	<b>Total %</b>
<u>Stacy Meeks</u>	<u>80,413.66</u>	<u>29.64%</u>



 1" = 200'	SUBJECT TRACT  PENDING CASE  ZONING BOUNDARY  CASE MGR: W.WALSH	<b>PETITIONS</b> CASE #: C14-05-0106 ADDRESS: 103 & 0 RED BIRD LANE SUBJECT AREA (acres): 0.604	DATE: 05-10 INTLS: SM	CITY GRID REFERENCE NUMBER G17
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